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Authorised by Chris Bishop MP, Parliament Buildings, Wellington

26 March 2021

Hon Chris Hipkins  
Minister for COVID-19 Response  
Parliament Buildings  
Wellington 6160

Dear Minister

### **Managed Isolation and Quarantine (MIQ) case: Mr Rael Kwasnik**

We write to apprise you of the case of Mr Rael Kwasnik who we recently supported in applying twice for an Isolation Exemption. Due to a number of factors which we will outline, Mr Kwasnik was unable to visit his terminally-ill father nor attend a private visitation following his death.

We wish to offer some constructive suggestions arising from Mr Kwasnik's case which we hope you will consider, with a view to improving MIQ and Emergency Allocation processes in order to prevent further tragic outcomes in the future.

### **Background**

Mr Kwasnik is a New Zealander living in Australia. He first applied for an Emergency Allocation in order to return to New Zealand and visit his father in Auckland's Middlemore Hospital who was expected to die within a number of days.

On 20 March, Mr Kwasnik's application for an Emergency Allocation was approved. Mr Kwasnik provided MIQ with a letter attesting that in accordance with his family's Jewish faith, his father's funeral would need to occur no later than 48 hours after his death.

On 21 March, Mr Kwasnik was informed by MIQ staff that he would be required to transit to Wellington – despite explaining that his father was in Auckland. On the same day, Mr Kwasnik was unable to complete an Isolation Exemption request online due to a website technical fault. After repeatedly contacting MIQ staff, he was emailed a Word document form 24 hours later.

On 22 March, Mr Kwasnik submitted an Isolation Exemption request. After 24 hours without any update, he submitted a complaint to MIQ explaining the urgency of his situation.

On 23 March, Mr Kwasnik's Isolation Exemption request was reviewed and declined. Mr Kwasnik's father died one hour later. The same day, after seeking advice as to the best low risk actions he could take, Mr Kwasnik applied for a second Isolation Exemption for exceptional circumstances to visit his deceased father at a private viewing (alone).

On 24 March, after once again waiting 24 hours without any update, Mr Kwasnik followed up with MIQ. His second Isolation Exemption request was declined at 8.30pm.

On 25 March, Mr Kwasnik's father's funeral took place at 10.30am.

It should be noted Mr Kwasnik was declined a Day 1 COVID-19 test due to his wristband indicating that he had arrived from a low-risk country. He received a test and subsequent negative result on Day 3.

MIQ staff have advised us that Mr Kwasnik's second Isolation Exemption request was declined due to the risk associated with the large number of attendees at funerals, and the need to travel between cities.

MIQ's decision apparently did not at all take into account the fact that Mr Kwasnik had applied for a private visitation with his late father alone, in order to further minimise any possible risk, or that he had been sent to an MIQF in Wellington due to an inexplicable decision by MIQ which had been beyond his control.

## **Recommendations**

In light of Mr Kwasnik's experience, we would like to make the following recommendations:

1. Unless there is an exceptional reason, an approved Emergency Allocation place should be allocated to the city where the relevant emergency event is occurring, as a matter of course. We are aware that this has been possible for some cases but not all.
2. A person with an Emergency Allocation place should be assigned a case manager to ensure 24 hour delays due to website technical issues and any other concerns are able to be addressed urgently. People in Mr Kwasnik's situation are already dealing with a high degree of emotional strain if they are recently bereaved or are preparing to see a loved one for the last time; this is only exacerbated by dealing with what they might perceive to be a 'faceless' organisation where they have limited interactions with multiple staff. Dedicated case managers catering to Emergency Allocation clients would ease this emotional pressure.
3. A person arriving into an Emergency Allocation should receive a Day 1 COVID-19 test by default.
4. The length of time a family member has been ill should have no negative bearing on an Emergency Allocation or Isolation Exemption request. People with longstanding illnesses can decline rapidly and unexpectedly.
5. Applicants for Emergency Allocation should be provided with a Public Health Risk and Impact Assessment or 'Health Matrix' from the outset so as to avoid creating unrealistic expectations or leading applicants to incur unnecessary costs.

Despite following the current MIQ process, Mr Kwasnik was unable to see his father either before or after his death, which was the entire reason for his travel and his approved Emergency Allocation. This was due to delays and failures on the part of MIQ.

Mr Kwasnik's case is an indictment on our MIQ system and a perfect example of how it often lacks flexibility or responsiveness. While we acknowledge and respect the work of all MIQ staff, who we know have to make an array of difficult decisions each day, we believe Mr Kwasnik was unacceptably let down by poor processes and the confluence of factors we have outlined above.

We are writing to ask you to consider implementing the recommendations we have outlined above to prevent any more people arriving into New Zealand under emergency circumstances having to go through the same cruel experience as Mr Kwasnik.

Implementing a trans-Tasman bubble as soon as possible would be an additional helpful solution and, given Mr Kwasnik's only travel was from Australia, it would have almost certainly made a dramatically positive difference to his experience had it already been in operation.

Thank you for your consideration. We look forward to hearing from you.

Yours sincerely



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